

Application No. 09/964,578  
Amendment under 37 C.F.R. §1.111 dated March 2, 2005  
Response to the Office Action of December 2, 2004

### **REMARKS**

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1 - 2, and 4 - 18 are pending in this application, claim 3 having been cancelled and new claim 18 having been added by the present Amendment. Claims 5 - 8 and 10 - 17 are withdrawn from consideration as being directed to a non-elected invention. Claims 1 - 4 and 9 stand rejected. No new matter has been added. The rejections set forth in the Office Action are respectfully traversed below.

### **Claim Rejections - 35 U.S.C. §102**

Claims 1 - 4 and 9 are rejected under 35 U.S.C. §102(e) as being anticipated by Minami (USP 6,710,816). For the reasons set forth in detail below, this rejection, to the extent it is considered to apply to the present claims, is respectfully traversed.

Minami discloses a digital broadcast receiver and a method for outputting appropriate sound and image signals during a waiting time in changing channels (see col. 1, lines 9 - 13). More particularly, as shown in Figs. 4 and 5, Minami discloses a digital broadcast receiver 21 including a main receiving unit 25 and a sub-receiving unit 27, both of which receiving units are connected to an antenna 31. The main receiving unit 25 and a sub-receiving unit 27 each include a tuner. The main receiving unit 25 receives a program of a channel selected by a user and the sub-receiving unit 27 successively receives broadcast signals of a plurality of channels other than the selected channel (and also receives signals of the selected channel, as shown in Fig. 5) by

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carrying out time-division scanning and stores these signals in a memory 33 (see, e.g., col. 8, lines 16 - 26 and 60 - 65).

During an operation of changing over channels, when a channel is newly selected, a certain amount of time after the start of receiving the newly selected channel (waiting time) is required before the received signal can be output (see col. 9, lines 15 - 26). During the waiting time, a control unit 41 changes over a switch 35 to the side of memory 33, and a signal stored in memory 33 corresponding to the selected channel is apparently output during the waiting time. After the waiting time has elapsed, the control unit 41 switches the switch 35 to the main receiving unit 25 and the received signal of the selected channel is output in real time (see col. 9, lines 26 - 46 and Fig. 5, where channel 3 is selected and stored data of channel 3 is output during the waiting time).

Thus, the embodiment shown in Fig. 5 of **Minami** teaches that image output is performed in accordance with the data received and stored in advance in the sub-receiving unit 27 (corresponding the background reproduction) during the waiting time until real-time reproduction of a newly selected channel becomes possible in the main receiving unit (corresponding to the normal reproduction). However, although **Minami** refers to the point that the waiting time is required to collect a sufficient amount of data (column 9, lines 21 - 26), **Minami** does not specifically disclose how to terminate the waiting time.

Thus, it can be assumed that the waiting time in **Minami** ends after a lapse of a predetermined period of time. If the waiting time is too short, it will end before the reproduction of the receiving channel in the main receiving unit (i.e., normal reproduction) is ready, leading to

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discontinuity of the image display. Accordingly, the waiting time needs to be set longer for safety's sake.

In contrast, according to present claim 1, when the control unit determines whether the generation of the image signal based on the first image coded data in the first image data decoding unit is possible or not, it checks whether the amount of the first image coded data extracted by the first tuning unit has reached a predetermined amount enabling the normal reproduction.

Thus, in accordance with present claim 1, once the amount of the first image coded data has reached a certain amount, the control unit can immediately determine that the normal reproduction based on the first image coded data is possible. As a result, according to the invention recited in claim 1, the time period during which the background reproduction based on the second image coded data is performed instead of the normal reproduction based on the first image coded data, which corresponds to the "waiting time" in Minami, can be set to a minimum.

In view of the above amendments and remarks, reconsideration and withdrawal of the rejections of claims 1, 2, 4 and 9 are respectfully requested.

#### New Claim 18

New claim 18 is directed to an embodiment of the invention wherein the first image decoding unit monitors the generation state of the image coded data (support for this claim is found, e.g., on page 11, lines 30 – 33 of the present application). New claim 18 depends from claim 1 and distinguishes over the prior art for the reasons set forth above with respect to claim

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1. Further, **Minami** do not show a connection between the main receiving unit 25 and the decoding unit 37, such as that shown between the TS decoder 16a and the MPEG video decode unit 20 in Fig. 1. **Minami** generally discusses that when a "waiting time" is over, reception and output of a selected channel is carried out using a main receiving unit (see, e.g., col. 10, lines 8 – 11) and mentions an embodiment wherein the waiting time is estimated (see, e.g., col. 6, lines 66 – 67 and col. 7, lines 54 – 55). However, **Minami** does not disclose monitoring the status of image coded data with an image data decoding unit (e.g., MPEG video decode unit).

#### CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

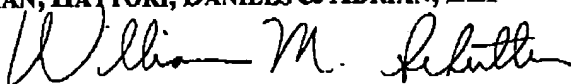
If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

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Respectfully submitted,

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